

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

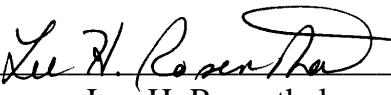
FOSTER WHEELER, INC., *et al.*, §
§
Plaintiffs, §
§
VS. § CIVIL ACTION NO. H-08-1125
§
M/V JING AN CHENG, *et al.*, §
§
Defendants. §

ORDER OF PENDING DISMISSAL

This action against Xiamen Ocean Shipping Co. and BM Shipping Group SPA has not been answered as required by Rule 12(a), Fed. R. Civ. P. Over 60 days have passed from the date an answer was due without any action by the plaintiff. The local rules allow the court summarily to dismiss an action in these circumstances.

This notice is to inform you that if the appropriate motions have not been filed within 20 days of the date this order is entered, this case will be automatically dismissed, without prejudice. The initial pretrial and scheduling conference set for August 29, 2008 is canceled. It will be reset, if appropriate.

SIGNED on July 15, 2008, at Houston, Texas.



Lee H. Rosenthal
United States District Judge